

**UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON**

**UNITED STATES OF AMERICA,**

Plaintiff,

**v.**

**THE CITY OF PORTLAND,**

Defendant.

Case No. 3:12-cv-02265-SI

**JOINT STIPULATED MOTION TO ENTER  
AMENDED SETTLEMENT AGREEMENT**

Plaintiff United States, Defendant City of Portland, Intervenor-Defendant Portland Police Association, and Enhanced *Amicus Curiae* Albina Ministerial Alliance Coalition for Justice and Police Reform (collectively the “Stipulators”) jointly move this Court to enter the proposed stipulated Order attached as Exhibit A. As the Court is aware, Paragraph 187 of the Settlement Agreement permits the parties to “jointly stipulate to make changes, modifications, and amendments to this Agreement, which shall be effective, absent further action by the Court, 45 days after a joint motion has been filed with the Court.” (Docket 4-1, Para. 187).

In addition to presenting to the Court certain stipulated amendments to the Settlement Agreement,<sup>1</sup> the Stipulators also seek a permanent referral order to the Ninth Circuit Mediation Program for any future disputes in this case. Any Stipulator that requests mediation shall give notice of that request to all other Stipulators, through electronic mail to counsel, along with a description of the issue(s) to be mediated, and no Stipulator shall be required to participate in mediation without its consent.

As a path going forward for implementation of the goals of the Settlement Agreement

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<sup>1</sup> For this Court’s convenience, attached as Exhibit B to this motion is a “redline” version of the Amended Settlement Agreement, showing changes to the original Settlement Agreement.

and beyond, Enhanced *Amicus Curiae* supports the amendments to the Settlement Agreement.<sup>2</sup> The United States, the City, and the Portland Police Association similarly support the amendments to the Settlement Agreement. The Stipulators, therefore, jointly move this Court to enter the proposed stipulated Order. The Stipulators also jointly move this Court to set a date for the Third Annual Status Conference that is within 45 days of the submission of the present Joint Stipulated Motion to this Court, and to schedule any hearing that this Court requires regarding entry of the Amended Settlement Agreement for the same date and time as the Third Annual Status Conference. Enhanced *Amicus Curiae* Albina Ministerial Alliance Coalition for Justice and Police Reform has indicated that it intends separately to move this Court to request a fairness hearing prior to the status conference.

DATED: December 26, 2017.

Respectfully submitted,

FOR THE UNITED STATES:	
BILLY J. WILLIAMS United States Attorney District of Oregon	JOHN M. GORE Acting Assistant Attorney General Civil Rights Division
RENATA A. GOWIE Chief, Civil Division	STEVEN H. ROSENBAUM Chief, Special Litigation Section
<u>/s/ Jared D. Hager</u>	<u>/s/ Laura L. Coon</u>
JARED D. HAGER Assistant U.S. Attorney	LAURA L. COON Special Counsel
	<u>/s/ R. Jonas Geissler</u>
	R. JONAS GEISLER Trial Attorney
	<u>/s/ Brian D. Buehler</u>
	BRIAN D. BUEHLER Trial Attorney

<sup>2</sup> Attached as Exhibit C is a letter detailing Enhanced *Amicus Curiae*'s position. Attached as Exhibit D is a letter from the City making formal representations about the intent and implementation of certain changes related to the amendments to the Settlement Agreement.

	<u>/s/ Kerry K. Dean</u> KERRY K. DEAN Trial Attorney
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FOR THE CITY OF PORTLAND:  <u>/s/ Tracy Reeve</u> TRACY REEVE City Attorney	MARK AMBERG Chief Deputy City Attorney  <u>/s/ Denis M. Vannier</u> DENIS M. VANNIER Senior Deputy City Attorney
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FOR THE PORTLAND POLICE ASSOCIATION:  <u>/s/ Anil S. Karia</u> ANIL S. KARIA Attorney for Intervenor PPA	
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FOR THE ALBINA MINISTERIAL ALLIANCE COALITION FOR JUSTICE AND POLICE REFORM:  <u>/s/ J. Ashlee Albies</u> J. ASHLEE ALBIES Attorney for Amicus AMAC	<u>/s/ Kristen Chambers</u> KRISTEN CHAMBERS Attorney for Amicus AMAC
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